

REMARKS

Claims 1-47 are pending in this application. By this Amendment, the specification and claims 5-8, 15, 17-18 and 20 are amended and new claims 21-47 are added. Various amendments are made for clarity and are unrelated to issues of patentability.

Applicant gratefully acknowledges the Office Action's indication that claims 1-14 and 16-20 are allowed.

The Office Action rejects claim 15 under 35 U.S.C. §103(a) over alleged admitted prior art (AAPA) and U.S. Patent 6,433,477 to Ha et al. (hereafter Ha). The rejection is respectfully traversed with respect to the pending claims.

Independent claim 15 recites a pair of first and second substrates, a plurality of pairs of row electrodes, a plurality of pairs of row electrodes, a plurality of column electrodes and a dielectric layer. Independent claim 15 also recites that the dielectric layer includes a plurality of black layers between two vertically adjacent discharge cells, and the plurality of black layers includes a first black layer formed between portions of the row electrodes and the first substrate, and a second black layer formed between vertically adjacent row electrodes. Still further, independent claim 15 recites that the thickness of the first black layer is less than 50% of the thickness of the second layer.

The Office Action makes a rejection based on AAPA and Ha. However, the present specification does not appear to contain an admission that Figures 1 and 4 are prior art. Therefore, applicant respectfully requests the Patent Office to provide a basis in which to consider Figures 1 and 4 as prior art.

Ha and AAPA do not teach or suggest that the plurality of black layers includes a first black layer formed between portions of the row electrodes and the first substrate, and a second black layer formed between vertically adjacent row electrodes, and the thickness of the first black layer is less than 50% of the thickness of the second layer. For at least these reasons, AAPA and Ha do not teach or suggest all the features of independent claim 15. Thus, independent claim 15 defines patentable subject matter.

Further, independent claim 39 recites that the dielectric layer includes a plurality of black layers between two vertically adjacent discharge cells, and the plurality of black layers include a first black layer formed under the row electrodes and the first substrate, and a second black layer formed outside of the row electrodes. Independent claim 39 further recites that at least one portion of the first black layer has a same thickness as the second black layer. For at least similar reasons as set forth above, AAPA and Ha do not teach or suggest all the features of independent claim 39. Thus, independent claim 39 defines patentable subject matter.

For at least the reasons set forth above, each of the independent claims defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-60 are earnestly solicited. If the Examiner believes that any additional changes would place the application in

Serial No. **10/800,036**
Reply to Office Action of April 3, 2006

Docket No. **YHK-0089.1**

better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: September 5, 2006

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